IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8056 OF 2004

Mr Rajkumar Ganesh Salunke, .. Petitioner

Vs

Mrs Bhavana Rajkumar Salunke, .. Respondent

Mr R.P.Parekh, for the petitioner.

Ms P.R.Dadarkar, for the respondent.

CORAM : D.B.BHOSALE,J.

DATE : 7th October, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The order dated 17.8.2004 passed by the Family Court allowing the amendment application filed by the respondent-wife, has been impugned in the instant writ petition on the ground that the amendment sought was outside the scope of the controversy involved in the main petition. The learned Judge of the Family Court allowed the amendment holding that it is necessary for determination of the real controversy in the petition.

3. I have perused the impugned order and other material placed before me. I am satisfied that the proposed amendment would not cause any prejudice to the other side and the amendment sought is necessary for

determination of the real controversy involved in the petition. No interference is called for under Article 227 of the Constitution in the order impugned in the instant petition. The writ petition, therefore, fails and is dismissed as such.

(D.B.BHOSALE, J.)